CLASSIFICATION OFFICE DECISION

Title of publication:	353263.jpg
Other known title(s):	Not stated
OFLC ref:	0901669.000
Medium:	Computer Image File
Publisher:	Not stated
Country of origin:	Not stated
Language:	Not applicable
Applicant:	The District Court at Lower Hutt
Classification:	Objectionable.
Descriptive note:	None
Display conditions:	None
Date of entry in Register:	27 January 2010
Date of direction to issue a label:	No direction to issue a label has been issued

Summary of reasons for decision:

The computer image file promotes and supports the exploitation of children for sexual purposes and is deemed to be objectionable.

The publication is exploitive. It is a sexual image of a young girl, with particular focus upon her breasts. A sexual reading of the image is unavoidable. Its purpose is to sexually titillate or arouse people with a sexual interest in children. As a sexualised image of a young girl, the publication encourages this sexual interest and legitimises the idea that it is appropriate and acceptable for adults to become sexually aroused by children. Such images also advance the idea that children are ready for adult forms of sexual activity.

The Classification Office has considered the effects of the New Zealand Bill of Rights Act 1990 on the application of the classification criteria. The classification of this publication interferes with the freedom of expression, but this is an outcome that is consistent with Parliament's intention that publications falling under s3(2) of the Films, Videos, and Publications Classification Act 1993 are deemed to be objectionable. The classification is also a reasonable limitation on the freedom of expression that reflects the concern of "a free and democratic society" to limit the availability of publications that promote and support the exploitation of children for sexual purposes.